IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No. 21147 of 2004

Between:

C.Shashi Kumar, s/o Sriramulu, Occ: Mines Owner,
Presently r/at Plot No.104 A, H.No.5-9-22/1/1, Ashoka Chambers,
Opp.New MLA Quarters, Adarsh Nagar, Hyderabad-500 063.

..... PETITIONER

AND

1 Government of Andhra Pradesh rep.,

by the Principal Secretary, Industries & Commerce
(Mines) Department, Secretariat, Hyderabad-.A.P.
2 Director of Mines & Geology, Govt. of A.P.,
Burgula Ramakrishna Rao Buildings, Near Tank Bund,

Hyderabad-A.P.
3 Assistant Director of Mines & Geology,

Mahabubnagar (Post & District), A.P.,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ more appropriately a writ of mandamus to declare the inaction of the respondents in disposing of the P.L.Application of the petitioner dated 30-12-2002 in respect of grant of P.L. for Feldspar & Quartz minerals in S.No.162 of Cherikonda Village, Amangal Mandal, Mahabubnagar District as illegal and further direct the respondents to dispose of the said application forthwith for grant of P.L. in favour of the petitioner.

Counsel for the Petitioner: MR.K.RAJANNA

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

The Court made the following:

ORDER:

The petitioner seeks a writ of Mandamus, declaring that the inaction on the part of the respondents in considering the Application of the petitioner dated 30.12.2002 for grant of Prospecting Licence for Feldspar and Quartz minerals in Survey No.162 of Cherikonda village of Amahgal Mandal, Mahabubnagar District, as illegal and arbitrary.

2. The petitioner states that he also made subsequent representations on 14.08.2004 and 03.09.2004, requesting the 1st respondent to consider his application dated.30.12.2002 for grant of Prospecting Licence. In pursuance thereof, the Assistant Director of Mines and Geology, Mehabubnagar, through his letter No.44/PL/3, dated 09.09.2004 recommended for grant of Prospecting Licence in his favour, but no further steps have been taken by the respondents 1 and 2. Hence this writ petition.

3. Having heard the learned counsel for the petitioner and the learned Government pleader for Mines and Geology, appearing for the respondents, without expressing any opinion with regard to the claim of the petitioner for grant of Prospecting Licence as sought by him, the Writ Petition is disposed of with a direction to the respondents to consider the application of the petitioner dated 30.12.2002, and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

Note:

Issue CC in three days

B/o.

Dsr

ASSISTANT REGISTRAR

To:

1. The Principal Secretary,

Industries & Commerce (Mines) Department,

Government of Andhra Pradesh,

Secretariat, Hyderabad

2. The Director of Mines & Geology,

Government of Andhra Pradesh,

Burgula Ramakrishnarao Building,

Near Tank Bunk, Hyderabad

3. The Assistant Director of Mines & Geology,

Mahabubnagar Post & District,

Andhra Pradesh

4. Two CCs to the Government Pleader

for Mines & Geology, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies.